

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

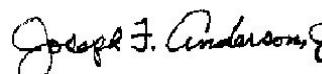
Aubin Liberte, ) C/A No. 0:09-1343-JFA-PJG  
                  )  
Petitioner,     )  
v.                ) ORDER  
                  )  
Warden, Lieber Correctional     )  
Institution,     )  
                  )  
Respondent.     )  
\_\_\_\_\_ )

By order entered September 14, 2010, this court adopted the Report and Recommendation of the Magistrate Judge in this case, granted the respondent's motion for summary judgment, and dismissed this action with prejudice. Now before the court is the petitioner's motion to alter or amend the judgment pursuant to Rule 59(e) of the Federal Rules of Civil Procedure. The petitioner suggests that the motion is made "to correct a clear error of law and to prevent a manifest injustice."

The court's September 14, 2010 order adequately sets forth the court's reasoning in dismissing this action due to it being untimely under the AEDPA. Accordingly, the motion for reconsideration is denied.

IT IS SO ORDERED.

October 22, 2010  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge